



DEPARTMENT OF THE ARMY  
HEADQUARTERS, 15<sup>TH</sup> REGIMENTAL SIGNAL BRIGADE  
606 BARNES AVENUE  
FORT GORDON, GEORGIA 30905-5729

REPLY TO  
ATTENTION OF:

ATZH-TB

10 June 2013

MEMORANDUM FOR ALL ASSIGNED AND ATTACHED MILITARY AND CIVILIAN  
PERSONNEL

SUBJECT: Policy Letter #26: Health and Welfare Inspections

1. References:

- a. Manual for Court-Martial, United States, (2012 Edition).
- b. AR 27-10, Military Justice, 3 October 2011.
- c. TRADOC Regulation 350-6, Initial Entry Training (IET) Policies and Administration, 7 November 2012.
- d. USASC&FG Regulation 27-1, Military Justice, 26 July 2011.
- e. USASC&FG Regulation 350-5, Academic Practices, 31 October 2003.
- f. 15th Regimental Signal Brigade Policy Letter # 17, Privileges and Limitations for Soldiers in Training, 24 October 2012.

2. Commanders are responsible for the health, safety, and military readiness of their units. The health and welfare inspection is an effective tool to use in meeting this responsibility. **ONLY A COMMANDER** may order the inspection of military personnel and property within their control. However, commanders DO NOT have the authority to conduct inspections or authorize searches in privatized housing or in a Soldier's off-post quarters.

3. In planning for a health and welfare inspection, commanders must ensure that the examination really is an inspection and not a search. A search targets a particular person and particular evidence and requires probable cause. A commander may not use the inspection as a substitute for a lawful search based on probable cause when probable cause does not exist. If probable cause did not exist at the time of the search, the confiscated item may not be used as evidence in any disciplinary action. Administrative inspections are not tools for criminal investigations. For example, if a commander suspects that a Soldier possesses illegal drugs in his wall locker but does not have probable cause to conduct a search, the commander may not use a health and welfare inspection as a subterfuge for an improper search of an individual Soldier. To ensure that inspections are conducted in a reasonable manner, commanders should:

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a. Schedule inspections ahead of time, although there is no requirement to notify those being inspected.

b. Conduct a random inspection rather than target a specific individual. A 100% inspection, or an inspection of an entire section is permissible.

c. Inspect all Soldiers to the same degree.

4. The commander ordering the inspection must provide clear guidance to the members of the chain of command conducting the inspection. With regard to barracks rooms in particular, each Soldier must be subject to the same level of inspection. Therefore, the commander should tell the inspectors where they may look, what they should look for, and what to do if illegal contraband is discovered. For example, if the stated purpose of the inspection is to inspect for such unregistered or illegal weapons as handguns or knives, no need exists for inspectors to open boxes, envelopes, or packages too small to contain objects the inspection is targeting.

5. Certain items are considered contraband and prohibited in training areas:

a. Weapons (other than assigned weapons used in instruction), explosives, intoxicants, and illegal drugs are prohibited in all training areas.

b. AIT students are not permitted to bring the following items into classrooms and training areas: medicine other than prescription, cameras, tape recorders, beepers, cell phones, or other electronic devices, newspapers, books, cards, and magazines. AIT students are permitted to bring healthy foods and snacks and non-alcoholic drinks into training areas with prior approval from Instructors.

c. Officers and RNCOA students are authorized laptop computers, beepers and cell phones when pre-approved by the instructor, academic counselor/evaluator (ACE), tactical (TAC) officer, or small group leader (SGL). In addition, officers and RNCOA students are permitted to bring food and non-alcoholic drinks into training areas with prior approval of the above listed staff leaders.

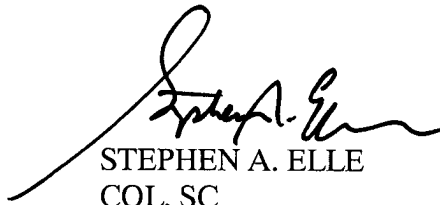
d. Communications security (COMSEC) areas and areas classified as restricted will be free of all the above items.

6. When collecting evidence, the inspectors should use a packaging device that enables the commander to ascertain from where the contraband originated. A clearly labeled ziplock-type bag is one example. The packaged contraband should then be placed in a secure and accessible area in the event that it is used as evidence in a disciplinary proceeding. Depending on what is found, the contraband may have to be turned over to either CID or MPI.

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7. When confiscating contraband, inspectors should avoid a "spontaneous interrogation." Questions such as "Is this yours?" or "Where did you get this?" should not be asked until the suspect has been read his Article 31(b) rights. Inspectors should collect the evidence, complete the inspection, and brief the commander of the results of the inspection. The commander should brief their trial counsel on the results of the inspection.
8. In planning an inspection, the commander should prepare a written memorandum regarding the inspection (see enclosure). The memorandum should include language that:
  - a. Indicates the inspection was previously scheduled.
  - b. States his or her purpose for conducting the inspection.
  - c. Establishes objective criteria for selecting the individuals to be inspected.
  - d. Prescribes a scope of inspection that clearly relates to the purpose of the inspection.
  - e. Announces inspection procedures that ensure all individuals will be inspected in the same manner.
9. The use of the attached memorandum for record is required to be completed by all commanders prior to conducting a health and welfare inspection.
10. POC for this memorandum is the Brigade Trial Counsel at 706-791-4421.



STEPHEN A. ELLE  
COL, SC  
Commanding

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(Office Symbol)

(Date)

MEMORANDUM FOR RECORD

SUBJECT: \_\_\_\_\_ Health and Welfare Inspection

1. A health and welfare inspection will be conducted at \_\_\_\_\_ hours on \_\_\_\_\_, 20\_\_\_\_. The purpose of the inspection is to determine and ensure the security, military readiness, good order and discipline of the \_\_\_\_\_. If during the course of the inspection contraband or evidence of a crime is discovered, it will be secured and proper authorities will be notified. The inspection will continue in the exact same way until complete.
2. During the course of the inspection, an examination will be made to determine and ensure that any or all of the following are met:
  - a. \_\_\_\_\_ That the command is properly equipped.
  - b. \_\_\_\_\_ That the command is functioning properly.
  - c. \_\_\_\_\_ That the command is maintaining proper standards of readiness, sanitation, and cleanliness.
  - d. \_\_\_\_\_ That the personnel are present, fit, and ready for duty.
  - e. \_\_\_\_\_ Others are specified.
3. The following personnel will be inspected:
  - a. \_\_\_\_\_ All assigned or attached personnel.
  - b. \_\_\_\_\_ All personnel assigned to platoon.
  - c. \_\_\_\_\_ All students attending class at \_\_\_\_\_.
  - d. \_\_\_\_\_ Others as specified.
4. The following checked items and locations will be inspected:
  - a. \_\_\_\_\_ (Building/ Rooms: ex. barracks).
  - b. \_\_\_\_\_ (Personnel: ex. C Company AIT Soldiers).
  - c. \_\_\_\_\_, \_\_\_\_\_ (Personal Items: ex. wall locker).
5. The following personnel will be conducting the inspection: \_\_\_\_\_.

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COMMANDER'S SIGNATURE